

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

RECOVERY CHAPEL, et al.	)	
	)	
Plaintiffs,	)	
v.	)	Case No. 6:14-CV-03289-DGK
	)	
CITY OF SPRINGFIELD, MISSOURI, et al.,	)	
	)	
Defendants.	)	

**MOTION FOR EXTENSION OF TIME**

COME NOW Defendants, City of Springfield and Springfield Board of Adjustment, by and through counsel, and hereby move the court for an Extension of Time and in support state:

1. Plaintiffs filed their Original Complaint on June 24, 2014, and counsel for Defendants agreed to accept service on June 25, 2014. Plaintiffs faxed a copy of the Complaint to counsel for Defendants on June 25, 2014. No waiver of service was filed by Plaintiffs and no summons issued to Defendants with the Complaint, so Defendants are unsure of the time required for their response under F.R.C.P. Rule 12(a). Defendants anticipate filing a Motion to Dismiss under F.R.C.P. Rule 12(b)(1) and 12(b)(6).
2. Plaintiffs filed an Amended Complaint on July 1, 2014; however, this document was not received by counsel for Defendants until July 10, 2014, and exhibits to this document were received on July 16, 2014.
3. Plaintiffs filed a Motion for Preliminary Injunction on July 2, 2014; however, this document was not received by counsel for Defendants until July 10, 2014.
4. This Court has ordered suggestions concerning the Motion for Preliminary Injunction to be filed by counsel for Defendants by July 21, 2014.

5. Counsel for Defendants was out of state from July 9, 2014 until July 15, 2014, during which time these additional filings were received by e-mail and the Court's order issued.
6. Counsel for Defendants spoke with counsel for Plaintiffs concerning an agreement for extension of time to respond to both the Amended Complaint and to the Motion for Preliminary Injunction. Counsel for Plaintiffs is agreeable to an extension of time for both matters, if the Defendants agree not to take enforcement action regarding occupancy of the structure at issue in this litigation during the extension of time, which is at issue in Plaintiff's Motion for Preliminary Injunction. Defendants are agreeable to not take enforcement action during this extension of time.

WHEREFORE, Defendants respectfully request the Court for its Order granting an extension of time until Wednesday, July 30, 2014, in which to file their Motion to Dismiss, and Suggestions in Response to Motion for Preliminary Injunction in the above cause and for such other and further relief at the Court deems just and proper.

Respectfully Submitted,

/s/Marianne Landers Banks  
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*Attorney for Defendants, City of Springfield and  
Springfield Board of Adjustment*

**CERTIFICATE OF SERVICE**

The undersigned certifies that on the 16th day of July 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record in this matter.

/s/Marianne Landers Banks

Marianne Landers Banks